IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

WP(C).No. 12089 of 2007(L)

PETITIONER:

SURAJ G,LECTURER IN DEPARTMENT OF
HISTORY,MILAD-E-SHERIF COLLEGE,KAYAMKULAM.

BY ADV. SRI.P.C.SASIDHARAN

RESPONDENTS:

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1. STATE OF KERALA,REPRESENTED BY PRINCIPAL SECRETARY TO GOVERNMENT,HIGHER EDUCATION DEPARTMENT,SECRETARIAT,THIRUVANANTHAPURAM.

2. DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,OFFICE OF THE DEPUTY DIRECTOR OF COLLEGIATE EDUCATION,KOLLAM.

3. UNIVERISTY OF KERALA,REPRESENTED BY ITS REGISTRAR,THIRUVANANTHAPURAM.

4. PRINCIPAL,MILAD-E-SHERIF COLLEGE, KAYAMKULAM.

BY ADV. SRI.M.RAJAGOPALAN NAIR, SC, KERALA UTY.
SRI.R.RAJASEKHARAN PILLAI
GOVERNMENT PLEADER SRI.T.T.MUHAMOOD

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/08/2007, ALONG WITH WP.12019/2007 AND CONNECTED CASES, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP.12089/2007)

EXT.P1: TRUE COPY OF APPOINTMENT ORDER DT. 6/12/2004.

EXT.P2: TRUE COPY OF ORDER DT. 23/11/2006.

EXT.P3: TRUE COPY OF LETTER DT. 20/2/2007.

A.K. Basheer, J.

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W.P(C) Nos. 12089, 12019, 12219
12341 & 12577 of 2007

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Dated this the 14th day of August, 2007.

J U D G M E N T

Petitioners in all these writ petitions, except in W.P.No.12219/07, are working as Lecturers in various Departments in Milad-E-Sherif College, Kayamkulam. Petitioner in W.P.12219/07 is a Senior Scale Lecturer working in S.N.College, Chengannur.

2. The common grievance of the petitioners is that the Deputy Director of Collegiate Education is refusing to countersign their salary bills for no apparent or justifiable reasons. I do not propose to refer to the various contentions raised by the petitioners in support of their plea that they are entitled to get salary from the date of their respective appointments, (particularly since their appointments have been duly approved by the University), for the simple reason that the issue has been squarely covered in favour of the petitioners in view of the decision rendered by a Division Bench of this Court recently, in W.A.No.940/2007 and connected cases.

3. The Deputy Director of Collegiate Education concerned will be at liberty to seek clarifications, if any, required in the matter of appointments of the petitioners from the University concerned, if he is of the view that petitioners were not appointed against sanctioned posts or against regular vacancies. It could also be ascertained by the Deputy Director whether there was sufficient

workload in the colleges concerned at the relevant point of time when the petitioners were appointed. In short, the Deputy Director has to take appropriate action in the light of the directions contained in the judgment of the Division Bench referred to above after consulting the University. It shall be ensured by the Deputy Director of Collegiate Education concerned that the entire process of seeking clarification/information from the University is completed within a period of two months from the date of receipt of a copy of this judgment. It shall further be ensured that salary bills of the petitioners are countersigned and the entire arrears of salary are paid to them within three months from the date of receipt of a copy of this judgment.

Writ Petitions are disposed of in the above terms.

A.K. Basheer
Judge.

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